

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE

In re:	)	
	)	
FREDERICK VAUGHN GREENE,	)	
TERRI LYNN GREENE	)	
	)	
Plaintiffs/Debtors,	)	
	)	CIVIL NO. 4:06CV105AS
v.	)	
	)	
U.S. DEPARTMENT OF EDUCATION,	)	
	)	
Defendant.	)	

**MEMORANDUM, ORDER & OPINION**

In light of the recommendation of the Honorable Robert E. Grant, United States Bankruptcy Judge, entered on May 25, 2006, the Plaintiffs' Motion to Withdraw Reference is **GRANTED**. This Court is well aware of *Haines v. Kerner*, 404 U.S. 519 (1972) and *McNeil v. United States*, 508 U.S. 106 (1993), and the parties should be aware of those cases also.

This case now being in this Court, the Assistant United States Attorney, representing the United States Department of Education, shall conduct a preliminary pretrial conference in Hammond, Indiana at an appropriate time. Further, since this is no longer a bankruptcy matter, the case is referred to Magistrate Judge Paul R. Cherry in Hammond, Indiana for such proceedings as may be appropriate. No proceedings will be had in this Court in Lafayette, Indiana on September 7, 2006, and that hearing is hereby **VACATED**.

**SO ORDERED.**

**DATE: September 5, 2006**

**S/ ALLEN SHARP**  
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**ALLEN SHARP, JUDGE**  
**UNITED STATES DISTRICT COURT**